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**PATENT**

Attorney Docket No. A-70036/RMS/DLR

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Kinsella, Todd *et al.*

Serial No.: 09/712,821

Filed: 11/13/2000

For: *Methods and Compositions for  
Screening Using Diphtheria Toxin  
Constructs*

) Examiner: Tizio, Steven

)

) Group Art Unit: 1627

)

) CERTIFICATE OF MAILING

) I hereby certify that this correspondence, including listed  
enclosures, is being deposited with the United States Postal  
Service as First Class Mail in an envelope addressed to:

) Assistant Commissioner for Patents, BOX NON-FEE

) AMENDMENT, Washington, DC 20231 on:

) Dated: April 30, 2002

) Signed: John Waller

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AUG 21 2002

TECH CENTER 1600/2900

Assistant Commissioner for Patents  
BOX NON-FEE AMENDMENT  
Washington, DC 20231

Sir:

This is submitted further to the restriction election mailed 26 March, 2002 in the  
above mentioned case. Applicants request that the amendment be entered prior to  
examination of the claims.

It is believed that no fees are due at this time. However, should the Commissioner  
determine otherwise, he is authorized to charge any additional fees or other relief which may  
be required, or credit any overpayment to Deposit Account No. 06-1300 (Our Order No.  
A-70036/RMS/DLR).

IN THE CLAIMS:

Please cancel claims 1-6 without prejudice or disclaimer and enter the following  
amended claim set into the above identified application: